

FILED

Case 1:08-cv-00369

Document 1-2

Filed 01/16/2008

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JANUARY 16, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

08 C 369

JUDGE CASTILLO
MAGISTRATE JUDGE BROWN

Exhibit A

Int. Cl.: 11

Prior U.S. Cl.: 34

United States Patent and Trademark Office

Reg. No. 1,109,952
Registered Dec. 26, 1978

TRADEMARK
Principal Register

MIDDLEBY-MARSHALL

Middleby-Marshall Oven Company (Texas corporation)
8300 Austin Ave.
Morton Grove, Ill. 60053

For: OVENS FOR BAKING FOOD, in CLASS 11
(U.S. CL. 34).

First use 1890; in commerce 1890.
Owner of Reg. Nos. 237,729 and 731,845.

Ser. No. 156,932, filed Jan. 30, 1978.

S. MOSKOWITZ, Examiner

Exhibit B

Registered Nov. 4, 1941

Trade-Mark 391,399

Republished, under the Act of 1946, Oct. 19, 1948, by
The G. S. Blodgett Co., Inc., Burlington, Vt.

Affidavit under Section 8 accepted.
Affidavit under Section 15 received, Dec. 4, 1953.

UNITED STATES PATENT OFFICE

The G. S. Blodgett Co. Inc., Burlington, Vt.

Act of February 20, 1905

Application June 23, 1941, Serial No. 444,749

BLODGETT

STATEMENT

To the Commissioner of Patents:

The G. S. Blodgett Co. Inc., a corporation duly organized under the laws of the State of Vermont and located at Burlington, in the county of Chittenden, State of Vermont, and doing business at 53-59 Maple Street, Burlington, Vermont, has adopted and used the trade-mark shown in the accompanying drawing, for BAKING AND ROASTING OVENS, in Class 34, Heating, lighting, and ventilating apparatus, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905.

The trade-mark has been continuously used and applied to said goods in applicant's business and in the business of its predecessors from whom it derived title since 1850.

The trade-mark is applied or affixed to the goods, or to the packages containing the same,

by placing thereon a name-plate or label on which the trade-mark is shown.

The mark has been in actual use as a trade-mark by the applicant, and applicant's predecessors from whom title was derived, for ten years next preceding February 20, 1905, and such use has been exclusive.

Applicant is the owner of registration No. 149,641 of December 20, 1921.

The undersigned hereby appoints Malcolm F. Gannett, whose postal address is 2556 University Place N. W., Washington, D. C. (registration No. 10,711), its attorney, to prosecute this application for registration, with full power of substitution and revocation, and to make alterations and amendments therein, to receive the certificate, and to transact all business in the Patent Office connected therewith.

THE G. S. BLODGETT CO. INC.,
By ROBERT F. PATRICK,
Assistant Treasurer.

Exhibit C



Pizza Equipment Supply Inc.

Billing Address:
1437 E. Franklin Blvd., Suite 232
Gastonia, NC 28054

Contact our Office at: (704) 629-0000 x 15
After Hours (704) 678-8668
Fax: (707) 371-7112
E-mail: <mailto:ralphsroufe@pesi.us>
www.pesi.us

Headquarters
201 N. Sweetree Street
Cherryville, NC 28021

Attn: Equipment & Parts Purchaser,

P.E.S.I. is a company that specializes in rebuilding conveyor ovens. We offer dozens of makes and models; including those that your company uses. In addition to our impressive refurbishing process, we offer a huge selection of supplementary machines, products and most replacement parts. Along with our unbelievable products and pricing, we also ship all over the world.

What is refurbishing? Basically, we replace everything that makes an oven operate. This means we replace speed/temperature controllers, motors, etc. We back our refurbished ovens with a 30 day service and 1 year parts warranty. We take pride in our refurbishing process and have faith in your satisfaction.

There are several ways we can help your business's bottom line. With the dynamic buying power of our company, we can offer OEM & Aftermarket parts at bottom line, and well-below-list pricing. Another interesting way our company strives to serve our customers is with our swap-out program. Put simply, we will replace your "old" ovens with our "new" refurbished ovens and take those "old" ovens off your hands for only \$3,500.00 each. What a deal, right? As if that is not enough, you can also write off the purchase of an oven from us just as you would the purchase of a brand new oven, since it is "like new" with a warranty.

The last point we'd like to mention relates to our growing smallwares department. Over the past few years our company has aggressively sought the best vendors and pricing on the little things that complete your business. We have done our homework and found suppliers that offer quality products at competitive prices. P.E.S.I. is now equipped to be your one stop shop for all your equipment, parts, and the miscellaneous items your store uses and breaks everyday.

With our customers in mind to provide you the BEST support, we have service technicians & customer service representatives here to aid with your questions and needs. We are in the final stages of revamping our website to offer parts and product orders online. In addition to my help, we have a friendly staff willing to accommodate your needs at any time. And finally, did I mention our prices? I look forward to cutting your costs, improving your business and working with you soon.

Sincerely,

Ralph Sroufe
Sales Manager
Pizza Equipment Supply Inc.



Equipment For Sale

704.629.0000—707.371.7112 fax—WWW.PESL.US

Mixers:

HOBART

Berkel

Stephan

- 20 Quart—Hobart A-200 \$1,500.00 Refurbished
(Bowl, Hook, Paddle, Whip)
30 Quart—Hobart D-300 \$3,000.00 Refurbished
(Bowl, Hook, Paddle, Whip)
40 Quart—Hobart D-340 \$3,500.00 Refurbished
(Bowl, Hook, Paddle, Whip)
40 Liter—Stephan, Berkel, Hobart
\$4,500.00 Refurbished
(Knead Mix Shaft, Nut, Tool Kit)
44 Liter—Stephan VCM-44 \$5,500 Refurbished
(Knead Mix Shaft)
60 Quart—Hobart H600 \$5,000.00 Refurbished
(Bowl and Dough Hook)



HOBART



Ovens:

Middleby Marshall

Lincoln

BLODGETT

- Lincoln—1301(Electric) \$2,250.00 Refurbished
Lincoln—1116/1117(Gas)-1132/1133(Electric) \$3,250.00 Refurbished
Lincoln—1000 Analog(Gas) \$5,500.00 Refurbished
Lincoln—1000 Digital(Gas) \$6,000.00 Refurbished
Lincoln—1040 Digital(Gas) \$7,000.00 Refurbished
Lincoln—1450(Gas)/1452(Electric) \$7,500.00 Refurbished
Middleby Marshall—JS250(Gas) \$5,000.00 Refurbished
Middleby Marshall—PS220(Gas) \$5,000.00 Refurbished
Middleby Marshall—PS224(Gas) \$5,500.00 Refurbished
Middleby Marshall—PS200(Gas) \$6,500.00 Refurbished
Middleby Marshall—PS350(Gas) \$6,500.00 Refurbished
Middleby Marshall—PS360(Gas) \$9,000.00 Refurbished
Middleby Marshall—PS360WB70(Gas) \$10,000.00 Refurbished
Middleby Marshall—PS536(EorG) \$4,500.00 Refurbished
Middleby Marshall—PS570(Gas) \$12,000.00 Refurbished
Blodgett—MG32-55 \$6,250.00 Refurbished
Blodgett—MG32-70 \$6,750.00 Refurbished
Blodgett—MT3255 \$6,750.00 Refurbished
Blodgett—MT3270 \$7,750.00 Refurbished
Blodgett—MT3855 \$8,250.00 Refurbished
Blodgett—MT3870 \$9,250.00 Refurbished

Exhaust Packages:



CAPTIVE-AIRE
THE FERRIS WARE COMPANY

Class I-Exhaust-Only Package—Stainless Steel Hood with Filters/Fan
NEW \$3,000—Up to 10'x6'

Class I-Exhaust & Make-Up Air Package—Stainless Steel Hood
with Filters/Fans(Make-Up & Exhaust)
NEW \$4,000—Up to 10'x6'



Sheeters/Dough Rollers:

- Acme—MR-11 \$1,500 Refurbished
Acme—MRS-11 \$2,000 Refurbished
Anets—SDR-21 \$2,500.00 Refurbished—\$3,850.00 NEW
Somerset—CDR-2000 \$2,500.00 Refurbished—\$3,250.00 NEW

ACME

SOMERSET

ANETS



Kurbo Air
TURNED AIR AROUND

Refrigerated Tables:

- Sandwich/Salad Unit—27" NEW—Starting at \$1,175.00
Sandwich/Salad Unit—48" NEW—Starting at \$1,885.00
Pizza Prep Unit—88" NEW—Starting at \$3,500.00
Pizza Prep Unit—93" NEW—Starting at \$4,250.00
Pizza Prep Unit—119" NEW—Starting at \$5,500.00

Migali

VICTORY

True

Walk-In Coolers:

- 8' x 10' x 7'2" Complete—Floorless—NEW \$5,500.00
8' x 12' x 7'2" Complete—Floorless—NEW \$6,000.00
8' x 14' x 7'2" Complete—Floorless—NEW \$6,500.00

Sinks:

- Mop Sink—\$230.00—NEW
Prep Sink—\$300.00—NEW
Prep Sink with 18" Drainboard—\$350.00 NEW
Prep Sink with 24" Drainboard—\$375.00 NEW
3 Compartment Sink with 2-18" Drainboards—\$550.00—NEW
4 Compartment Sink with 2-18" Drainboards—\$650.00—NEW
Handsink—Stainless Steel with Faucet—\$135.00—NEW



Stainless Steel Tables:

	NEW
24"x24"	\$165
24"x30"	\$170
24"x36"	\$175
24"x48"	\$185
24"x60"	\$195
24"x72"	\$205
30"x18"	\$160
30"x30"	\$170
30"x36"	\$175
30"x48"	\$185
30"x60"	\$195
30"x72"	\$205

Backsplash

24"x30"	\$180	30"x30"	\$185
24"x48"	\$195	30"x36"	\$195
24"x72"	\$235	30"x48"	\$205
		30"x60"	\$225
		30"x72"	\$245
		30"x96"	\$335

Wire Shelving: Complete 4 shelves/4 poles

Chrome	NEW
14"x36"	\$110.50
14"x48"	\$123.97
14"x60"	\$141.28
14"x72"	\$158.76
18"x36"	\$126.41
18"x48"	\$142.32
18"x60"	\$159.85
18"x72"	\$182.31
21"x36"	\$134.73
21"x48"	\$149.92
21"x60"	\$176.28
21"x72"	\$205.09
24"x36"	\$144.46
24"x48"	\$165.31
24"x60"	\$194.84
24"x72"	\$221.36

Epoxy	NEW
14"x36"	\$98.54
14"x48"	\$110.24
14"x60"	\$125.84
14"x72"	\$147.94
18"x36"	\$135.74
18"x48"	\$118.09
18"x60"	\$157.26
18"x72"	\$176.50
24"x36"	\$124.26
24"x48"	\$148.18
24"x60"	\$176.34
24"x72"	\$205.50

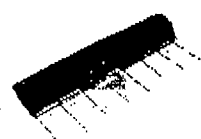
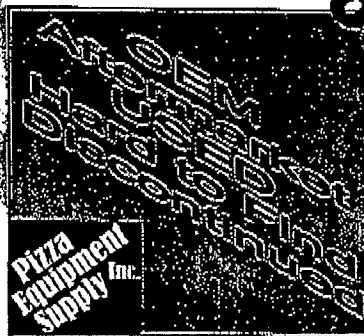
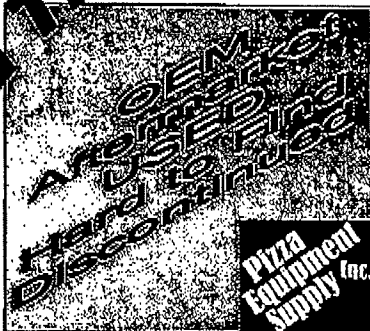


New Equipment comes with Manufacturer's Warranty. Refurbished Equipment comes with 30 days Service and 1 Year Parts Warranty.
12/01/08—Prices are subject to change and/or misprints shall not be honored, so please call to verify prices and availability.



Phone: 704-629-0000
Fax: 704-371-7112
E-mail: Pizzabreak@hotmail.com
www.pesi.us

Are You Throwing Money Away On Your Parts?



Middleby Marshall

BLODGETT

Lincoln

Stephan

HOBART

<u>Middleby Marshall</u>			<u>Blodgett</u>			<u>Lincoln</u>		
	OEM Part #	PESI Price		OEM Part #	PESI Price		OEM Part #	PESI Price
Blower Motor	27179-0011	\$172.80 \$ 95.00		2335	\$ 232.15 \$ 100.00		369366	\$ 440.00 \$ 110.00
Combustion Gas Valve	42940-0021	\$ 202.50 \$ 100.00		15495	\$ 175.74 \$ 112.00		369263	\$ 243.00 \$ 112.00
Ignition Module	42940-0014	\$ 183.00 \$ 95.00		11054	\$ 139.32 \$ 120.00		369395	\$ 190.00 \$ 100.00
Conveyor Gear Motor	47796	\$ 590.10 \$ 265.00		12378	\$ 634.48 \$ 350.00		369291	\$ 900.00 \$ 235.00
Main Blower Motor	27384-0020	\$ 274.32 \$ 200.00		42245	\$ 671.04 \$ 440.00		369300	\$ 444.40 \$ 230.00
Thermocouple	33982	\$ 128.00 \$ 50.00		16152	\$ 158.59 \$ 80.00		369151	\$ 59.20 \$ 50.00
<u>Stephan</u>			<u>Hobart</u>					
	OEM Part #	PESI Price		OEM Part #	PESI Price			
Bowl Seal	SP-0080	\$ 74.20 \$ 20.00	60 Quart SS Bowl	00-27582	\$ 1,090.00 \$ 413.50			
Sign Cover	SP-0215	\$ 135.50 \$ 70.00	30 Quart SS Bowl	00-27410	\$ 746.00 \$ 265.13			
Cover Gasket	SP-5203	\$ 156.00 \$ 60.00	60 Quart J Hook	00-29575	\$ 261.00 \$ 140.40			
Flange Sleeve	SP-0265	\$ 250.36 \$ 75.00	30 Quart J Hook	00-27558	\$ 140.00 \$ 60.75			
Knifedown	SP-0260	\$ 312.00 \$ 65.00	1/2 12 Quart Slicer Unit	VS4	\$ 671.00 \$ 416.00			
Knife Set	SP-0293	\$ 250.00 \$ 150.00	Bowl Bowl	00-55013	\$ 320.00 \$ 213.00			

* Damaged item we have found a source equal or superior to OEM specifications. If you want an OEM item or a 2" item we can get the OEM item for about 10-20% off OEM List.

We carry over 10,000 parts and most everything in stock that you might need and ship the same day.

All parts are warranted against defects and malfunctions for (1) YEAR from date of receipt. See our web page for "Returns" details.



Hobart - 60 Quart \$5,000
 Stephan - VCM40 \$4,500
 Lincoln - 1000 doublestack \$12,000
 Middleby Marshall - PS350 dblsk \$13,000
 Middleby Marshall - PS360 dblsk \$18,000
Call for a complete equipment list



We Ship World-Wide and Same Day in most situations.

704.629.0000
 WWW.PESI.US



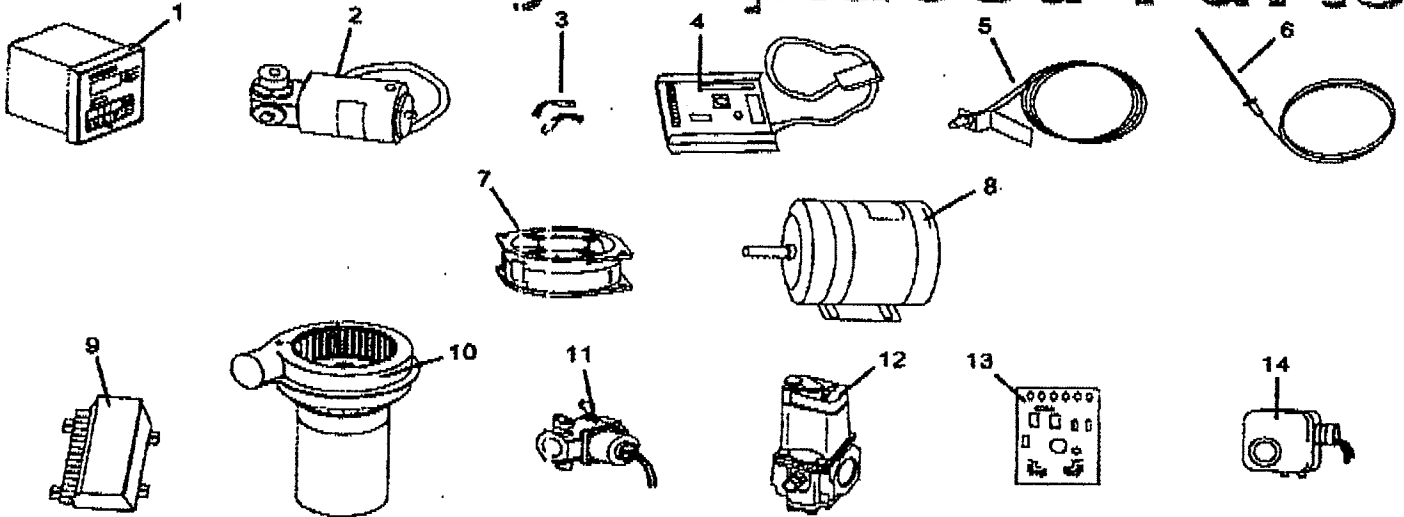
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Oven Parts Below OEM & Others Commonly Replaced Parts



Item	Part #	Description	OEM List	PESI Price	Comments
1	58504	Kit Honeywell Temp Cntrl 550 Deg	\$765.29	\$560.00	OEM-Honeywell
1	30-A-01-5038	On-Off Temperature Controller with CD & High Temp Prot.		\$250.00	AM-Duplicate of Honeywell
1	30-A-01-5039	Modulating Temp Controller with CD & High Temp Prot.		\$250.00	AM-Duplicate of Honeywell
2	47796	Mtr, Gear 1/22 HP 1400:1 BOD	\$591.10	\$475.00	OEM-Bodine
2	30-A-01-5022	Mtr, Gear 1/22 HP 1400:1 Baldor		\$265.00	AM-Baldor
3	22450-0052	Brush, Set of 2 Carbon E30	\$50.11	\$15.00	OEM
4	58323	Cntrl, Conv. Digital	\$410.10	\$350.00	OEM
5	46451	Kit, Conveyor Control Pick-Up	\$142.13	\$80.00	OEM
6	33984	Kit, Thermocouple PS300/570	\$129.60	\$50.00	OEM
7	27392-002	Fan, Axial 115V 110 CFM 50/60 Hz	\$44.85	\$15.00	OEM
8	27381-0023	Motor, 1/3HP 110/220V 50/60 1 PH	\$274.32	\$200.00	OEM-PS360S
8	27381-0054	Motor, 1/4HP 208-230V 60Hz 1 PH	\$345.60	\$200.00	OEM-PS360Q
	22523-0002	Wheel, Blower Single Inlet CW	\$229.14	\$59.00	OEM
	22523-0003	Wheel, Blower Single Inlet CCW	\$229.14	\$59.00	OEM
9	42810-0114	Kit, Ignition Module W/Adaptor	\$183.60	\$95.00	OEM
10	27170-0011	Assy, Motor & Fan Burner	\$172.80	\$95.00	OEM
11	28091-0017	VALVE, SOL 1/2 NPT 1/2 PSI	\$83.29	\$50.00	OEM
12	41647	Valve, module M420	\$263.25	\$150.00	OEM
13	31651	Amplifier, Signal 4-20 VDC	\$168.03	\$100.00	OEM
14	32102	Air Switch	\$160.54	\$135.00	OEM

Thousands of parts in Stock—OEM,
Discounted, and Hard to Find parts.
Ship Same Day, Ground and
Worldwide

CALL ABOUT OUR NEW
PROGRAM
Any Oven—Even New—At Any Time
Call Now
30 Day Service Guarantee

We Buy and Trade-In Equipment.
We use our PESI fleet of trucks to
Deliver & Set Up or Pick Up
Equipment